

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHUBB CUSTOM INSURANCE COMPANY,

Plaintiff,

vs.

Civil Action 2:07-CV-1285

Judge Smith

Magistrate Judge King

GRANGE MUTUAL CASUALTY COMPANY,
et al.,

Defendants.

ORDER

A discovery conference was held on April 28, 2009. All parties were represented.

Plaintiff has filed a motion to compel, Doc. No. 27. Briefing of that motion will be completed within rule and the Court will undertake to resolve that motion promptly.

In the meantime, defendant will withdraw its notices of deposition pursuant to F.R. Civ. P. 30(b)(6). Defendant may reissue those notices at a later date; if plaintiff objects to the reissuance, in light of the posture of issues addressed in defendant's motion to compel, plaintiff will request a conference with the Court.

The parties will continue to work on terms of a protective order. The parties will address, during that process, terms of production of materials relating to the Colossus software. In doing so, however, defendant will not be deemed to have waived its objection to the relevance of such discovery to the issues presented in this case.

At the request of the parties, the pretrial schedule, Doc. No. 24, is **MODIFIED**.

Disclosures relating to primary experts must be made by October 15, 2009. Responsive disclosures must be made by November 15, 2009. If the expert is specially retained, the disclosures must conform to F.R. Civ. P. 26(a)(2), unless otherwise agreed to by the parties or

ordered by the Court. If the expert is not specially retained, the party must provide (1) the identity of the expert, (2) an articulation of the substance of the testimony expected to be provided by the expert and (3) the bases of any opinion expected to be offered by the expert.

All non-expert discovery must be completed by September 15, 2009. All expert discovery must be completed by December 17, 2009. The parties are advised that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response by that date.

Motions for summary judgment may be filed no later than January 31, 2010.

This case will be available for final pretrial conference in April 2010, or as soon thereafter as the Court's calendar permits.

This case will be referred to the December 2009 Settlement Week.

If any date set herein falls on a weekend or legal holiday, the date of the next business day will control.

April 28, 2009

s/Norah McCann King
Norah McCann King
United States Magistrate Judge